

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**EPICREALM LICENSING, LLC,**

**Plaintiff,**

*v.*

**2:05-CV-150-DF**

**SPEEDERA NETWORK, INC.,**

**Defendant.**

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**EPICREALM LICENSING, LLC,**

**Plaintiff,**

*v.*

**2:05-CV-163-DF**

**AUTOFLEX LEASING, INC., et. al.,**

**Defendants.**

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**EPICREALM LICENSING, LLC,**

**Plaintiff,**

*v.*

**2:05-CV-356-DF**

**FRANKLIN COVEY CO., et. al.,**

**Defendants.**

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**ORDER**

On November 2, 2005, Judge T. John Ward entered and Order in Civil Action No. 2:05-CV-163 (Doc. No. 58) wherein the case was consolidated with Civil Action No. 2:05-CV-356 for pretrial purposes pursuant to Rule 42 of the Federal Rules of Civil Procedure. Thereafter, Judge Ward reassigned both causes of action to this Court because they involve the same patents and similar

technology as a previously filed action currently pending in this Court – Civil Action No. 2:05-CV-150, which is before Magistrate Caroline Craven for pretrial.

The Court, having reviewed these matters, finds that they involve the same plaintiff alleging infringement of the same patents. Therefore, in order to avoid unnecessary cost and delay, it is hereby ORDERED that Civil Action Nos. 2:05-CV-150, 2:05-CV-163, and 2:05-CV-356 are consolidated pursuant to Rule 42 of the Federal Rules of Civil Procedure for pretrial purposes. It is further

ORDERED that, in accordance with the provisions of 28 U.S.C. § 636(b)(3) and the local rules for the assignment of duties to United States Magistrate Judges, this consolidated action is referred to the Honorable Caroline M. Craven for pretrial. It is further

ORDERED that this Order shall not prejudice any party's right to file a motion for separate trials. It is further

ORDERED that the Court's Order to conduct Rule 26(f) conference in Civil Action No. 2:05-CV-163 (Doc. No. 61) is VACATED. It is further

ORDERED that this consolidated action is hereby scheduled for status conference on Wednesday, December 14, 2005, at 10:00 a.m. **in TEXARKANA** before Judge Craven. Judge Craven shall notify the Parties regarding the issues to be addressed.

**SIGNED this 16th day of November, 2005.**

  
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DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE